

PROB 12C  
Rev 2/03RE: **MOSELY, Bryan R.**  
**1:01CR00033**JAMES E. BROWN  
CLERK**United States District Court**

2007 NOV -8 AM 9:39

for

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OHIO  
WEST DIVISION**Southern District of Ohio****Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: **Bryan Raymond Mosely**Case Number: **1:01CR00033**Name of Sentencing Judicial Officer: **The Honorable Sandra S. Beckwith,**  
**Chief United States District Judge**Date of Original Sentence: **September 19, 2001**Original Offense: **Bank Fraud, in violation of 18 U.S.C. § 1344, a class B felony.**Original Sentence: **12 months prison, 60 months supervised release. On July 7, 2006, Supervised release was revoked, and the defendant was sentenced to 11 months confinement followed by a four year term of supervised release.**Type of Supervision: **Term Of Supervised Release**Date Supervision Commenced: **March 9, 2007**Assistant U.S. Attorney: **Anthony Springer, Esq.**Defense Attorney: **Unassigned****PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue an Order to Appear and Show Cause  
☐ To grant an exception to revocation without a hearing.

Violation NumberNature of Noncompliance

1

**New Law Violation: "While on supervised release, you shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance."**

On September 4, 2007, the offender issued a check in the amount of \$11,502 to EDB Diamond Showroom in Montgomery, Ohio which was drawn on a US Bank checking account with insufficient funds in order to fraudulently obtain a diamond ring.

U.S. Probation Officer Recommendation:

On September 4, 2007, the offender issued a check in the amount of \$11,502 to EDB Diamond Showroom in Montgomery, Ohio which was drawn on a US Bank checking account with insufficient funds in order to fraudulently obtain a diamond ring. Mosely was charged with Theft in Hamilton County, Ohio (case number C/CRA/40641) as a result on October 24, 2007. This warrant remains active as of this report.

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**Standard Condition 11: "The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer."**

Mosely was questioned by Officer Alderman of the Montgomery, Ohio Police Department by telephone on October 18, 2007 regarding the above Theft allegation. He had additional contact with Officer Alderman by telephone on October 19, 2007. Mosely has failed to notify this officer of his contact with Officer Alderman.

U.S. Probation Officer Recommendation:

On September 4, 2007, the offender issued a check in the amount of \$11,502 to EDB Diamond Showroom in Montgomery, Ohio which was drawn on a US Bank checking account with insufficient funds in order to fraudulently obtain a diamond ring. Several attempts were made by the jewelry store to resolve the matter with Mosely, and Mosely was contacted by the Montgomery, Ohio Police Department in an attempt to bring resolution. The offender promised to pay for the ring, then he promised to return it, but he failed to do so. He also failed to report to the Montgomery Police Department on two occasions to resolve the matter. Mosely was charged with Theft in Hamilton County, Ohio (case number C/CRA/40641) as a result on October 24, 2007. A warrant remains active as of this report. Mosely was advised of the existence of the warrant by the Montgomery, Ohio Police Department, and he was asked to turn himself in. He has not done so as of this report.

The offender has continued to engage in fraudulent behavior despite continued interventions by the Court and his probation officer. It is this officer's opinion that Mosely represents a financial risk to the public. In addition, he is a fugitive from justice as there is an active warrant for his arrest in Hamilton County, Ohio. It is respectfully recommended that the Court issue a warrant for Mosely's arrest so that he may be brought before the Court to answer the above alleged violation.

The term of supervision should be

- ☒ Revoked.
- ☐ Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.
- ☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that  
the foregoing is true and correct.

Executed on November 6, 2007

Approved,

by



Thomas Barbeau  
U.S. Probation Officer

Date: **November 6, 2007**


Robert C. Frommeyer, Jr.  
Supervising U.S. Probation Officer

Date: 11/6/07

THE COURT ORDERS:

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THE COURT ORDERS:

- ☐ No Action
- ☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
- ☐ The Issuance of an Order to Appear and Show Cause
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

11/7/07  
\_\_\_\_\_  
Date